

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Criminal No.  
03-10367-MEL

UNITED STATES OF AMERICA

V.

JAMES T. RICHARDS

ORDER

This Court finds that there is reason to believe that the above-named defendant may be presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequence of the proceedings against him or to assist properly in his defense, within the meaning of 18 U.S.C. §4241(a), and hereby orders as follows:

(1) Pursuant to the provisions of 18 U.S.C. §§4241(b) and 4247(b), the above named defendant is ordered committed to the custody of the Attorney General for a period not to exceed thirty (30) days for placement at a suitable facility, designated by the Bureau of Prisons, at which an examination pursuant to 18 U.S.C. §4247(b) by one or more licensed or certified psychiatrists or clinical psychologists may be conducted.

(2) Pursuant to 18 U.S.C. §§4241(b) and 4247(c), it is further ordered that one or more of the licensed psychiatrists or clinical psychologists who examine the defendant prepare a written report and file said report with the Court and mail copies to

Department of Justice Trial Attorney George Z. Toscas, 10<sup>th</sup> & Constitution Ave., Room 2734, and standby counsel for the defendant George Gormley, 655 Summer Street, Boston, MA 02210 (who will provide a copy to the defendant). It is further ordered that the report contain the information specified in 18 U.S.C. §4247(c) (1) - (3) and 4(A).

(3) Pursuant to 18 U.S.C. §3161(h) (1) (A), an order of excludable delay for purposes of computing the time within which the trial of this case must commence is hereby entered, excluding from such computation all time starting on August 25, 2005, the filing date of the Government's motion for a competency examination, and concluding on the date of the hearing which will be conducted before this Court under 18 U.S.C. §4247(d) for the purpose of determining the competency of the defendant, or on such subsequent date that this Court rules on the competency of the defendant.

8/29/05  
Date

Monica E. Tosen  
United States District Judge